PATENT Case No. 21121YP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Goetz et al.

Serial No. 10/511,664

Filed: October 18, 2004

For: NOVEL MAXI-K BLOCKERS, METHODS OF USE AND PROCESS FOR MAKING THE SAME

Art Unit: TO BE ASSIGNED

Examiner: TO BE ASSIGNED

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By Christine Dorn Date 3/2/05

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5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

	RELATED APPLICATION	
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

☐ the attached information is filed within three months of the filing date of the captioned case.

☑ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.

☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).

☐ the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.

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Respectfully submitted,

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Date: March 2, 2005

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1 of 4

COMPLETE IF KNOWN	
Application Number	10/511,664
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First Named Inventor	Goetz et al.
Group Art Unit	To be Assigned
Examiner Name	To be Assigned
Attorney Docket Number	21121YP

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	U.S. Patent Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
	1.	4,386,098		Woltersdorf, Jr. et al.	05/31/1983
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Examiner Initials*	Cite No.	Foreign Patent Document Office	Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
	16.	PCT	WO 89/10757	A1	Leo Pharmaceutical Prodcuts Ltd.	11/16/1989
	17.	PCT	WO 94/28900	A1	Vide Pharmaceuticals	12/22/1994
	18.	PCT	WO 96/33719	A1	Allegan	10/31/1996
	19.	PCT	WO 04/037786	A2	Merck Frosst Canada & Co.	05/06/2004
	20.	PCT	WO 03/047417	A2	Merck & Co. Inc.	06/12/2003
	21.	PCT	WO 03/103664	A1	Merck Frosst Canada & Co.	12/18/2003
	22.	PCT	WO 04/019938	A1	Merck Frosst Canada & Co.	03/11/2004
	23.	PCT	WO 04/085430	A1	Merck Frosst Canada & Co.	10/07/2004
	24.	PCT	WO 03/047513	A2	Merck & Co. Inc.	06/12/2003

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
	25.	S. R. Moore et al., "Development and Aging of Cell Topography in the Human Retinal Pigment Epithelium", 1997, pp. 2016-2026, Vol. 38, Investigative Ophthalmology & Visual Sciences.
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NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
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